Respond to:
Leonard Lloyd, Morris
c/o 2429 Condit Ct.
Ceres, California state
Postal zone: [95307]

united States Court of Appeals

For the Ninth Circuit

San Francisco, California state

Leonard Lloyd, Morris; Citizen in Party	)	[Judicial Original Action for Judicial Review DeNovo of Administrative Action in Federal District Court]
-v-	)	
Charles J. Stevens U.S. Attorney	)	CA No. 97-80611
Karen J. Kalmanir Assistant U.S. Attorney	)	Notice of "Refusal": Conversion from Judicial Review to Petition for Writ of Mandamus and/or Prohibition by Ninth Circuit without Authorization or Judicial Authority
Magistrate: Dennis L. Beck	)	
United States District Court Eastern District of California	)	Jury Trial Demanded Within

This refusal is in relation to the Ninth Circuits unthorized conversion of Moving party's filing for Judicial Review under 5 USC section 701-706 to Petition for Mandamus and /or Prohibition which fell under 28 USC 1651 etc.

"NOTICE OF REFUSAL" FOR FRAUD:

State of California)
)ss
Stanislaus County)

Citizen in Party, Leonard Lloyd, Morris, in the above titled action, being first duly sworn, having first hand knowledge of the facts herein, and being competent to testify, do affirm that the facts herein are stated under penalties of perjury under the laws of the United States of America.

Citizen in Party states that this Court has jurisdiction to make a judicial review of the administrative proceedings within Respondent Court in that Movant has exhausted his administrative remedies, has no remedy by way of appeal and does not understand the nature and cause of the agency in the Respondent Court, this Court further, has power and authority to effect a remedy and has been mandated by Congress to make said judicial review and Title 5 USC section 706 has been given a scope of review to effect a remedy.

Judicial review is a normal action in law and is necessary in the course of law to affect all administrative remedies before asking for an extraordinary action in law such as a Writ of Mandamus, etc., hence a petition for writ of mandamus and/or prohibition is procedurally incorrect at this time.

Citizen in Party filed his Judicial Original Action for Judicial Review DeNovo of Administrative Action in Federal District Court with the Clerk for the Ninth Circuit Court, which was accepted as such. 100.00

FRNs were paid by Movant, for judicial review, and accepted by clerk as docketing fees for judicial review, as evidenced by receipt # 33985, hence the contract Movant has with the Ninth Circuit Court is for judicial review under the jurisdiction of 5 USC section 706.

Citizen in Party filed his judicial review in his Christian Appellation and the contract was accepted with the Clerk of Court for the Ninth Circuit Court as such and Movant has not given consent to the Court to use any other name or spelling of name [i.e. in all capitol letters] of Citizen in Party in any way connected to the above titled case. The use of Movant's name in all capitol letters can only be construed as an attempt by the Ninth Circuit Court to convert Movant to a fictitious enity which would be a breach of contract by the Ninth Circuit Court.

For the foregoing reasons Citizen in Party refuses the Ninth Circuit Court's assignment of case number 97-80611 into a Petition for writ of Mandamus and/or Prohibition as Fraud.

Wherein this Court, for the forgoing reasons, is asked to take judicial notice pursuant to Federal Civil Rule 201(d) of the Federal Rules of Civil Procedure and to take action in the proper manner and accept case number 97-80611 as an action in judicial review as mandated by the Congress of the united States of America as outlined under 5 USC section 706.

Dated November 18, 1997

Leonard Lloyd, Morris
c/o 2429 Condit Ct.
Ceres, California state
Postal zone: [95307]

Subscribed and sworn before me, a Notary Public, on November 18, 1997, Leonard Lloyd, Morris

Barbara Eileen, Isom, Notary

CERTIFICATE OF SERVICE

I, the above signed, being of age and competent to serve papers, did place in a postage paid envelope the Notice of Refusal to the Clerk of Court, Ninth Circuit, and placed said envelope in the US Mail, certified return receipt, to the following address:

Clerk of Court, united States Court of Appeals
For the Ninth Circuit
P.O. Box 193939
San Francisco, California state
Postal zone: [94119-3939]
Certified Mail # P 419 437 165

UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT
95 SEVENTH STREET, P.O. BOX 193939
SAN FRANCISCO, CA 94119-3939

November 12, 1997

CA No. 97-80611 Morris v. USDC-CEF
USDC-CR-F-91-212-DLB

A petition for writ of mandamus and/or prohibition has bee received in the Clerk's office of the United States Court of Appeals for the Ninth Circuit.

The U.S. Court of Appeals docket number shown above has been assigned to this case. You must indicate this Court of Appeals docket number when corresponding to this office relative to your case.

Pursuant to Rule 21 (b), FRAP, no answer to a petition for writ of mandamus and/or prohibition may be filed unless ordered by the court. If such an order is issued, the answer shall be filed by the respondents within the time fixed by the Court.

A copy of the docket sheet case title page is attached. Please take special note of the case caption, as it may differ from that shown on the papers submitted for filing. Pursuant to Circuit Rule 21-2, an application for writ of mandamus and/or prohibition shall not bear the name of the district court judge concerned. Rather, the appropriate district court shall be named as respondent.

Very truly yours,

Cathy A. Catterson
Clerk of Court

By: Cyntharee Powells
Deputy Clerk

INTERNAL USE ONLY: Proceedings include all events.
97-80611 Morris, et al v. USDC-CEF

LEONARD LLOYD, MORRIS

Petitioner

v.

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF CALIFORNIA;

Respondent

UNITED STATES OF AMERICA

Real Party in Interest

ORIGINAL

33985

RECEIPT FOR PAYMENT
— UNITED STATES COURT OF APPEALS —
for the
NINTH CIRCUIT

at _____

RECEIVED FROM

Leonard Morris
2429 Condit Ct
Ceres, CA 95307
(209) 537-6781

		ACCOUNT	AMOUNT	
	GENERAL AND SPECIAL FUND			
086900	Docketing Fees		100	00
322340	Sales of Publications & Opinions			
322350	Copy Fees			
322360	Miscellaneous (include certification fee)			
		TOTAL	100	00

Case Number or Other Reference

Judicial Review

U.S GOVERNMENT PRINTING OFFICE 1996 785 536

All checks, money orders, drafts, etc. are accepted subject to collection. Full credit will not be given until the negotiable instrument has been accepted by the financial institution on which it was drawn.

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11/7 19 97	✓				

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